

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7029

BILL NUMBER: HB 1495

NOTE PREPARED: Jan 3, 2005

BILL AMENDED:

SUBJECT: Maintenance of Roads Occupied by Railroad Tracks.

FIRST AUTHOR: Rep. Foley

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 X FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that the Department of Transportation (INDOT), a county, or a municipality may provide highway or road surface maintenance at a railroad crossing at its own cost, if the railroad approves the work in advance. It prohibits the INDOT, a county, a municipality, or a railroad from charging access or inspection fees in connection with construction or maintenance at a railroad crossing.

The bill provides that highway or road construction and maintenance work at railroad crossings may be paid for from federal rail safety funds. It provides the standard by which a railroad must grade, surface, and maintain a public highway, public road, and railroad tracks at a railroad crossing. The bill provides the boundaries within which the railroad is responsible for the repair and maintenance of the grade and surface occupied by the railroad tracks.

Effective Date: July 1, 2005.

Explanation of State Expenditures: The proposal does not impose additional expenditures on the INDOT and local units. However, INDOT and the local units may choose to incur additional expenditures as permitted by the bill. The funds affected for INDOT are the State Highway Fund and federal funds.

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: Department of Transportation.

Local Agencies Affected: County and municipal highway departments.

Information Sources:

Fiscal Analyst: James Sperlik, 317-232-9866.